IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

Bail Appl..No. 4508 of 2007()

CRIME NO. 61/07 OF KARTHIKAPPALLY EXCISE RANG
CMP.3628/2007 of J.M.F.C., HARIPAD

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PETITIONER/ACCUSED

RADHAKRISHNAN, AGED 42,
S/O. KUNJAN KUTTY,
ACHAMYATHUKKAL PUTHUVAL VEEDU,
MATTOM NORTH MURI,
KANNAMANGALAM VILLAGE, MAVELIKKARA TALUK.

BY ADV. SRI.C.SUNIL KUMAR

RESPONDENTS: STATE & COMPLAINAT

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1. STATE OF KERALA, REPRESENTED BY ITS
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE EXCISE INSPECTOR,
KARTHIKAPPALLY EXCISE RANGE,
ALAPPUZHA DISTRICT.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 4508 of 2007

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Dated this the 26th day of July, 2007

O R D E R

Application for regular bail. Allegations are raised under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 4 litres of arrack on 5.7.2007. He was arrested and continues in custody from that date. There is no allegation of any antecedent criminality against the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) He shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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